



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gary C. Fulks :
:
Serial No. : 10/849,969 :
:
Attny No. : DP-310523 : **GROUP:** Unknown
:
Filed : May 20, 2004 : **EXAMINER:** Unknown
:
Title : BRAKE WITH CALIBRATION AND :
DIAGNOSTICS AND METHOD AND :
PROGRAM PRODUCT RELATED :
THERETO :

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: MAIL STOP MISSING PARTS

Sir:

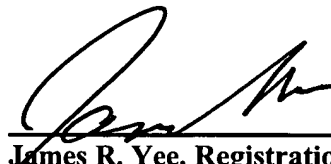
In response to the Notice to File Missing Parts of Application dated October 4, 2004, Applicant is submitting herewith the required executed Declaration under § 37 CFR 1.53(b).

Also enclosed herewith is a copy of the self-addressed return post card which was submitted with the application when initially filed which indicates the executed Declaration was included with the initial filing. Therefore, applicant believes that no fees are due, however, if any become required, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 08-2789. Enclosed as well is a copy of the Notice to File Missing Parts of Application - Filing Date Granted as requested.

Respectfully submitted,

October 28, 2004

Date



James R. Yee, Registration No. 34,460
The Pinehurst Office Center, Suite #101
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151
(248) 645-1483

Enclosures

CERTIFICATE OF MAILING

I hereby certify that this Response and fee is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, **MAIL STOP MISSING PARTS – NO FEE**, P.O. Box 1450, Alexandria, VA 22313-1450 on October 28, 2004.


Melissa S. Dadisman

Howard & Howard

22782 U.S. PTO
10/849969

COMMISSIONER OF PATENTS & TRADEMARKS

Please confirm receipt of the document(s) checked below by stamping and returning this card to us.



Inventor / Applicant Fulks / Delpn
Date 5/20/04 Attorney: JRY

Mark: _____
File No.: 60408-445

PATENTS TRADEMARKS -

☒ New Patent Application:

☐ CON ☐ CIP ☐ DIV ☐ FWC ☐ Provisional ☐ PCT ☒

8 Page(s) Specification

5 Page(s) Claims

1 Page(s) Abstract

5 Sheets of Drawing (formal/informal)

☐ Small Entity Declaration

☒ Executed Declaration & Power of Attorney

☐ PCT Request _____ Pages

☒ Fee Calculation Sheet

☒ Certificate of Express Mail

☐ Information Disclosure Statement

☒ Assignment

☒ Recordation Cover Sheet

☐ Response/Amendment

☐ Extension of Time

☐ Statement of Use

☐ Section 8 Affidavit

☐ Priority Document

☐ Issue Fee Transmittal

☐ New Trademark Application:

☐ Use ☐ Intent to Use

_____ Drawing

_____ Specimens

☒ Transmittal Cover Sheet

☐ General Power of Attorney

☐ PTO 1449

☐ Response to Invitation

☒ Certificate of Mailing

☐ Section 15 Affidavit

☐ Maintenance Fee Transmittal, _____ Year

☐ Missing Parts

☐ Patent Copies

☐ Notice of Appeal

☐ Appeal Brief

☐ Renewal Application

☐ Change of Fee Address

☐ Make of Record Letter

Other: App Data Sheet, check

Fee: \$ 1,172.00

Serial/Patent/Registration No. N/A

Date Received: _____

EV308125044US

2FW



UNITED STATES PATENT AND TRADEMARK OFFICE

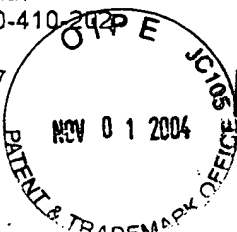
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/849,969 ✓	05/20/2004 ✓	Gary C. Fulks	DP-310523

CONFIRMATION NO. 8637

60408-445

Michael D. Smith
Mail Code: 480-410-242
P.O. Box 5052
Troy, MI 48007

M/P due:
04 Dec. 04

FORMALITIES LETTER



0C000000013997738

Date Mailed: 10/04/2004 ✓

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.


Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

RECEIVED/DELPHI

OCT 06 2004

Legal Staff

A copy of this notice **MUST** be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY